



500.41 Preliminary and Follow-up Investigations

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POLICY

Deputies are provided guidelines when conducting preliminary investigations into reports of crime from the public, as well as, deputy-initiated investigations.

Deputies will make certain that all persons are afforded the rights and protection guaranteed by the Constitution of the United States and per policy 500.51: Arrest Procedures. Trained deputies interviewing an autistic individual will make a good faith effort to ensure a qualified professional is present, upon request, and as defined in Florida Statute 943.0439.

PROCEDURE

A. Guidelines

1. Preliminary Investigations

- a. The initial responding deputy will generally conduct the preliminary investigation. All sexual violence incidents will have a preliminary investigation. The preliminary investigation should be as complete as resources permit, including the identification and arrest of the offender if probable cause exists. The investigation should continue until all relevant investigative duties have been completed or provided for. Each investigation is unique. However, the following investigative steps are established courses of action:
 1. Upon arrival at the scene, observe and document all conditions, events, and any remarks made by witnesses for inclusion in the case report.
 2. Assess the physical condition of victims and provide for appropriate first aid or medical care. Counseling assistance is also provided to victims.
 3. Identify and locate the crime scene, secure and maintain the crime scene, protect evidence, and attempt to identify potential secondary crime scenes that may be associated with the investigation.
 4. Locate and identify any potential witnesses and assure their availability by obtaining valid personal identification information.
 5. Interview complainants, victims and witnesses and obtain written/recorded statements when appropriate.

6. When appropriate, interrogate suspects. When the investigation involves a homicide, sex crime, crime against a child, or any crime where a detective is called to assume the investigation, no interrogation will be conducted until such time as the responding detective is notified.
 7. Arrest the suspect if possible.
 8. Examine the crime scene for the presence of physical evidence, record and document the scene and search for latent prints in accordance with Procedure 500.40: Evidence Collection/Process/Storage. If needed, request Crime Scene Unit response in accordance with Procedure 500.25: Call Out Notification.
 9. Report the incident fully and accurately.
2. Evidence/Chain of Custody
 - a. Evidence will be collected and processed in accordance with Procedure 500.40: Evidence Collection and Storage.
3. Follow-up Investigations
 - a. The original investigating deputy is responsible for conducting the follow-up investigation unless assumed by another deputy or detective. The procedures for conducting the follow-up investigation are similar to the preliminary investigation. These duties represent components of the follow-up investigation:
 1. Review and analyze all previous reports prepared during the preliminary investigation, agency records, laboratory examination results and external sources of information.
 2. Technical aids may be utilized, by a certified examiner, as an investigative support tool and as a supplement to, not a substitute for, a thorough field investigation.
 3. Conduct additional interviews and interrogations as required.
 4. Seek additional information from other patrol deputies or others who work or have worked the area where the offense occurred, from informants, from neighboring residents or businesses, or from other persons known to frequent the area.
 5. Plan, organize, and conduct searches for additional physical evidence.
 6. Identify and apprehend suspects. Determine if the suspect(s) are involved in other criminal activity.
 7. Conduct a thorough check of the suspect's criminal history and active warrants or capiases.
 8. Prepare the case for court presentation and prosecution.
4. Agency Personnel as Victims of Crime
 - a. Agency personnel will not conduct preliminary or follow-up investigations of a crime in which they or members of their immediate family are the victim.
 - b. When an agency employee requires a report and/or investigation of a crime in which he/she or an immediate family member is the victim, the agency that has jurisdiction where the crime occurred will be contacted.

- c. This directive does not preclude deputies from making arrests and initiating reports for offenses committed against their person in their official capacity, such as assault or battery of law enforcement officer, or attempted murder. This directive does not preclude deputies from taking enforcement action under exigent circumstances, regardless of whether they or an immediate family member are the victim.
 - d. Deputies acting under exigent circumstances should contact another law enforcement officer having jurisdiction as soon as practical to assume the investigation.
- B. Case File Maintenance
 - 1. All case files are maintained in the Case Management System. All case materials will be scanned to the attachment section in case management system.
 - a. Case Management system will have the following types of reports;
 - 1. Preliminary investigations
 - 2. All statements
 - 3. The results of examinations of physical evidence
 - 4. Follow-up investigations, if necessary
 - 5. Case status reports; and
 - 6. All other reports and records needed for investigative purposes
 - b. Case file maintenance shall be the responsibility of the Investigations Lieutenant. These case files can be used as a source of information to Investigators. Other than Investigators, the Investigations Lieutenant shall control access.
 - c. Case files are kept in a case management system which is secured with password protection and limited access to the files. The Sheriff's Office does not purge the case management system.

DEFINITIONS

ASSIGNMENTS – Cases investigated by the Criminal Investigations Detective will be assigned by the Division Captain or Designee. Assignments are determined by detective availability, caseload, and specialty.

PROFESSIONAL – Psychiatrist, psychologist, mental health counselor, special education instructor, clinical social worker, or related professional. The professional must have experience treating, teaching, or assisting patients or clients who have been diagnosed with autism or an autism spectrum disorder or related developmental disability or must be certified in special education with a concentration focused on persons with autism or an autism spectrum disorder.

VICTIM – Any person, next of kin, or other designated contact person resulting from the case of a homicide (Florida Statute 782), sexual offense (Florida Statute 794), or an attempted murder or sexual offense (Florida Statute 777), or stalking (Florida Statute 784.048) or domestic violence (Florida Statute 25.885)

REFERENCES

State/Federal Regulations:
 Florida Statute 25.885
 Florida Statute 777
 Florida Statute 782

Florida Statute 784.048
Florida Statute 794
Florida Statute 943.0439

CFA:

CFA Standards 15.01, 15.05, 15.10, and 15.18M

Forms:

500.41-01 Crime Scene Log
500.41-02 Investigative Notes
500.41-03 Impounded Cash Record
500.41-04 Subpoena Duces Tecum
500.41-05 Sworn Statement Transcription

Other Policy/ Procedure References:

500.25 Call Out Notification
500.40 Evidence Collection/Process/Storage
500.51 Arrest Procedures